

CITY COUNCIL

7:00 P.M.

September 2, 2008

Present: Scott M. Johnson
David Gustafson
Pat Kelley
Steven Marolt
Amber Dow

Lana Fralich, City Administrator
Gerald Morris, Asst. City Attorney

Also attending: Harold Koepp, Jack Swanson, Michael Miller, Duane Hill, Damian Dishinger, Forrest Johnson

Mayor Johnson called the meeting to order at 7:00 p.m.

CONSENT AGENDA – Motion Kelley, second Marolt to approve the Consent Agenda item 3 (minutes of August 18, 2008, regular Council Meeting and August 21, 2008, Special Budget Workshop Meeting). THE MOTION CARRIED

PUBLIC PRESENTATION – MN/DOT, DUANE HILL – Duane Hill, MN/DOT Asst. District Engineer for Maintenance, informed Council that MN/DOT had funding to relocate its maintenance facility (Mn/Dot Silver Bay Truck Station) and was therefore asking the City to approve and sign off on the necessary paperwork for the project to proceed. Mr. Hill noted the site would have a covered salt storage facility which would benefit the City. Ms. Fralich informed Council about changes in the Memo of Understanding, liability and insurance issues and reimbursement from the State for City costs.

Motion Kelley, second Marolt to approve the engineering project plans and specifications for the Mn/Dot Silver Bay truck station as presented by engineer Michael Miller. THE MOTION CARRIED

Motion Gustafson, second Kelley to allow the City Administrator to sign the MPCA Permit Application and Transmittal Form Sanitary Sewer Extensions and/or Changes for the Mn/Dot Silver Bay Truck Station. THE MOTION CARRIED

Motion Kelley, second Marolt to authorize the Mayor to sign the Memorandum of Understanding between the State of Minnesota Department of Transportation pending approval of receipt of a letter of insurance by the State. The following additions will be made to the Memo: “WHEREAS, 100 percent of the cost for the extension **and restoration** of City public sanitary sewer and water main will be paid by the State”; NOW, THEREFORE 1. “The State will be responsible for 100 percent of the costs to design, bid, and construct the Truck Station and associated extension **and restoration** of the public . . .” and 6. “With this MOU, the City grants to the State and the State’s contractor access to the City’s right of way **on Prospect Avenue** to perform the construction of the sanitary sewer and water main.” THE MOTION CARRIED

PETITIONS, REQUESTS, & COMMUNICATIONS

DEED DEVELOPMENT CONFERENCE - Motion Marolt, second Dow to allow the City Administrator to attend the MN Momentum: Driving competitive Development Conference on September 24-25, 2008, in Brooklyn Park, Minnesota, with usual expenses paid. THE MOTION CARRIED

COALITION OF GREATER MINNESOTA – The Coalition is soliciting members. Cost for membership, after a full phase-in of dues, would be \$3312 per year in 2012. Council decided not to join the Coalition.

IRON RANGE ECONOMIC ALLIANCE – Mayor Johnson and Member Gustafson supported the attendance of the City Administrator at this meeting. Members Dow and Kelley did not feel the meeting would be beneficial.

Motion Marolt, second Gustafson to allow the City Administrator to attend the September 10 IRR Economic Alliance meeting in Proctor, MN with usual expenses paid. THE MOTION CARRIED. Members Dow and Kelley voted naye.

LETTER OF RESIGNATION

Motion Kelley, second Marolt to accept the resignation of Wayne Billings as Police Chief effective September 30 and to thank him for his years of service. THE MOTION CARRIED. Member Dow abstained.

Discussion followed on the hiring process. Ms. Fralich recommended including law enforcement agents to assist in hiring for this position. Member Marolt felt the full Council should be involved in hiring since the Council had assumed the duties of the Police Civil Service Commission after it was abolished. Mayor Johnson was opposed to this because it would not be consistent with how other department heads were hired and because the committee would be too large. Council agreed to compromise. The Personnel Committee will screen candidates and conduct interviews. They will provide the full Council with recommendations as to which law enforcement agents will be part of the selection process.

DEPARTMENTS

CITY ADMINISTRATOR

2009 BUDGET – Motion Gustafson, second Kelley to adopt **Resolution 2009-#34, Proposed Fiscal Year 2009 Budget** totaling \$5,361,732.

Member Kelley thanked the City Administrator and department heads for working so hard on the budget. It was noted the levy increase without the amount for the vehicle replacement schedule discussed during budget time was 3.87%; with vehicle replacement it is 12.5%.

Roll call vote: Member Gustafson – aye
Member Kelley – aye
Mayor Johnson – aye

Member Dow – aye
Member Marolt – aye

THE RESOLUTION WAS ADOPTED

Motion Kelley, second Dow to adopt **Resolution 2009-#35, 2008 Proposed Collectible 2009 Tax Levy** totaling \$866,055.

Mayor Johnson noted the revenues and expenditures budget reflected a balanced budget. The City would therefore not have to use money from its reserve fund to meet budgeted expenditures in 2009.

Roll call vote: Member Gustafson – aye
Member Kelley – aye
Mayor Johnson – aye

Member Dow – aye
Member Marolt – aye

THE RESOLUTION WAS ADOPTED

REQUEST FOR EXEMPTION TO VEHICLE POLICY – August 25, 2008, letter from Recreation Director Mike Guzzo requesting an exception to the vehicle policy to allow the recreation director to be allowed to take a vehicle home during the winter arena season and during community events and recreation programs that warrant recreation director supervision. Mr. Guzzo states that he has chosen not to write down hours for times he drove his own vehicle to check on community events and recreation programs during the summer. Council discussed the desire to remain consistent for all department heads in relation to the vehicle policy. They discussed paying employees for time spent after they arrive at their work site instead of making an exception to the vehicle policy.

Motion Dow, second Kelley not to change Section 13.4 (Use of City Vehicles) and 13.5b (Exceptions) of the Personnel Policies Amendment adopted April 7, 2008.

Member Gustafson stated he would like Mr. Guzzo to appear before the Council if he so wished to discuss his request and provide further information. He felt Mr. Guzzo was an exceptional employee and might have reasons for this request that the Council was not currently aware of.

THE MOTION CARRIED. Member Gustafson voted naye.

CITY ATTORNEY – MINNESOTA TOWERS LICENSE AGREEMENT – Council decided to TABLE the license agreement pending more information.

OLD BUSINESS – None

NEW BUSINESS - None

CLAIMS – Motion Gustafson, second Marolt to approve payment of \$22,881.62 unpaid claims and \$132,494.09 paid claims as presented. THE MOTION CARRIED

CORRESPONDENCE FROM MN/DOT RE: Solicitation for Enhancement Project.
Member Kelley will review for next meeting.

The meeting recessed at 8:15 for the purpose of getting more information on the position of police chief. The meeting returned to order at 8:21 p.m.

Members discussed the job description for police chief and the process to be used for advertising and interviewing. There was discussion on posting the position internally versus posting the position outside of the City immediately. Council approved the job description with modifications and approved advertising the position outside of the City immediately. The interview and screening process will be discussed further.

Motion Kelley, second Gustafson to advertise the position of Chief of Police in all the normal publications in order to open it up to all qualified candidates.

Mayor Johnson asked that a separate memo be sent to members of the police department.

THE MOTION CARRIED Member Dow abstained.

Member Dow expressed her thanks to the City Office for how quickly they provided an answer and information regarding a question she had recently asked.

Motion Kelley, second Marolt to adjourn at 8:40 p.m. THE MOTION CARRIED

Scott M. Johnson, Mayor

Lana Fralich, City Administrator